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OFFICE OF PETITIONS

In re Application of :
Marc Howard Spinoza :
Application No. 09/506,361 : DECISION ON PETITION
Filed: February 18, 2000 :
Attorney Docket No. FIFW.019US :
:

This is a decision on the petition under 37 CFR 1.137(b), filed February 22, 2007, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to timely reply within the meaning of 37 CFR 1.113 to the final Office action mailed June 5, 2006, which set a shortened statutory period for reply of three (3) months. No extensions of time were obtained under the provisions of 37 CFR 1.136(a). Accordingly, the application became abandoned on September 6, 2006. A Notice of Abandonment was mailed on December 15, 2006.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the required reply in the form of an amendment, (2) the petition fee of \$750, and (3) a proper statement of unintentional delay. Accordingly, the failure to timely reply to the final Office action of June 5, 2006 is accepted as being unintentionally delayed.

This application is being referred to Technology Center AU for appropriate action in the normal course of business on the reply received April 12, 2007.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

Frances Hicks
Frances Hicks
Petitions Examiner
Office of Petitions